

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | |
|---|----------------------------|
| In re PATENT APPLICATION OF: | Attorney Docket: 2711-0040 |
| SEED, Steven L. et al. | Group Art Unit: 2143 |
| Application Serial No.: 10/073,938 | Examiner: BILGRAMI, Asghar |
| Application Filing Date: February 14, 2002 | Confirmation No.: 5330 |
| Title: MANAGED OBJECT REPLICATION AND DELIVERY | Date: October 21, 2009 |

Mail Stop RCE
 Hon. Commissioner of Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

REQUEST FOR CONTINUED EXAMINATION (RCE)

This is a request for continued examination (RCE) under 37 CFR 1.114 of the above-identified application. Please continue the examination of this application.

Prerequisites

- This application was filed on/after June 8, 1995, is not abandoned, and no court action has been filed, or if filed, it has been terminated.
- An issue fee has not been paid (unless a petition under Rule 313(c)(2) is also being filed – see item 4 below).
- Prosecution has been closed as defined in Rule 114(b).
- Reply to any outstanding action and Rule 17(e) fee must be enclosed.

This application is entitled under Rule 114 to withdrawal of any outstanding finality or of any allowance plus a new action by the Examiner. Consideration on the merits of each submission (e.g., IDS, Amendment, new arguments, new evidence, but not appeal/reply briefs themselves) filed herewith or before the new action is respectfully requested.

Please consider the following before the next Official Action:

| | | | | | | |
|---|-------------------------------------|--|---|-----|-------------------------------------|--|
| 1. Submission required under 37 CFR 1.114: | | | | | | |
| a. | <input type="checkbox"/> | Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked. Please <input type="checkbox"/> enter <input type="checkbox"/> do not enter the Amendment filed . | | | | |
| | i. | <input type="checkbox"/> | Consider the arguments in the appeal brief filed and/or reply brief filed | | | |
| | ii. | <input type="checkbox"/> | Other: | | | |
| b. | <input checked="" type="checkbox"/> | Enclosed | | | | |
| | i. | <input checked="" type="checkbox"/> | Amendment / Reply | iii | <input checked="" type="checkbox"/> | Information Disclosure Statement (IDS) with Form PTO 1449 and references |
| | ii. | <input type="checkbox"/> | Affidavit(s) / Declaration(s) | iv | <input type="checkbox"/> | Other |

Continued on next page . . .

2. Miscellaneous:

| | | |
|----|--------------------------|--|
| a. | <input type="checkbox"/> | Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required) |
| b. | <input type="checkbox"/> | Other: |

3. After payment of issue fee:

| | | |
|--|--------------------------|---|
| | <input type="checkbox"/> | The issue fee has been paid, but this RCE is based on Rule 313(c)(2). See enclosed petition. |
| | | <input type="checkbox"/> IDS Letter <input type="checkbox"/> Cited Appln(s) <input type="checkbox"/> Foreign Search Report/OA <input type="checkbox"/> PTO-1449 <input type="checkbox"/> Cited Documents |

4. Fees (The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.):

| | | |
|----|-------------------------------------|---|
| a. | <input checked="" type="checkbox"/> | The Director is hereby authorized to charge the following fees, any underpayment of fees, or credit any overpayments, to Deposit Account No. 501860, order no. 2711-0040 . |
| | i. | <input checked="" type="checkbox"/> RCE fee required under 37 CFR 1.17(e) |
| | ii. | <input checked="" type="checkbox"/> Extension of time fee (37 CFR 1.136 and 1.17) [Petition for Extension of Time attached herewith] |
| | iii. | <input type="checkbox"/> Other |
| b. | <input type="checkbox"/> | Check number in the amount of \$ enclosed |

CHARGE STATEMENT: Deposit Account No. 501860, order no. **2711-0040**.

The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (**missing or insufficiencies only**) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

| | |
|---|---|
| CUSTOMER NUMBER 75948 | Respectfully submitted, /Brian Siritzky/Reg. No. 37,497 By: _____ Brian Siritzky, Ph.D. Registration No.: 37,497 |
| Davidson Berquist Jackson & Gowdey LLP 4300 Wilson Blvd., 7th Floor, Arlington, VA 22203 Main: (703) 894-6400 • FAX: (703) 894-6430 | |